Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 916 - 09946 - 0562 - 145 | Date: 08/31/2016 | Time: 1010 Hours

Location: 1450 Lidcombe Avenue | City or Station: South El Monte

Bureau/Station/Facility: East Patrol Divsion/Temple Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Control Holds/Team Takedown

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ○ YES ◉ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Lt. Justin Diez | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Rivera	Felipe	A	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
◉ M ○ F	H	511	205	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Temple Station | Work Assignment (Unit #, Module, etc.): 55F

Individual Force Used: Control Holds/Team Takedown | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E 2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Nunez	Joseph	L	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
◉ M ○ F	H	509	185	[redacted]	○ EM ◉ Day ○ PM	○ Regular Shift ◉ OT Shift ○ Off Duty

Unit of Assignment: Temple Station | Work Assignment (Unit #, Module, etc.): 55

Individual Force Used: Control Holds/Team Takedown | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E _

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Harris	Tommy	D	SGT	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]		SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Daily	Ronald	J	LT.

Watch Commander / Supervising Lieutenant's **Signature**: _(signature)_ Date: 7/6/17 Copy Provided to Employee by: Emp #:

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

916 - 09946 - 0562 - 145

Suspect Information

S 1

Last Name: Romero | First Name: Regina | Middle Name: Marie | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: ◯ Male ◉ Female | Race: H | Age: 32 | Height: 506 | Weight: 150 | D.O.B: 08/29/84 | Phone #1: ◉ H ◯ W ◯ C [redacted] | Phone #2: ◯ H ◯ W ◯ C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 4766937 | Primary Charge Code: 148(a)(1)PC | Secondary Charge Code: 10851(a)CVC | [redacted] Criminal History

Treated on Scene? ◉ YES ◯ NO | Name: La County Fire Dept | Unit: 90 | Phone #:

Hospital Admission? ☒ | Rec'd Treatment At: Greater El Monte | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. David Lin | Address: 1701 Santa Anita Avenue | Phone #: 626-579-7777

Under Influence: ◉ YES ◯ NO | Substance: CNS Stimulant | 5150 a factor in force? ◯ YES ◉ NO User's guide provides direction on this entry

Suspect Interview

Date: 08/31/2016 | Time: 1900 | ☐ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ◯ Male ◯ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ◯ H ◯ W ◯ C | Phone #2: ◯ H ◯ W ◯ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ◯ YES ◯ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ◯ YES ◯ NO | Substance: | 5150 a factor in force? ◯ YES ◯ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ◯ Male ◯ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ◯ H ◯ W ◯ C | Phone #2: ◯ H ◯ W ◯ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ◯ YES ◯ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ◯ YES ◯ NO | Substance: | 5150 a factor in force? ◯ YES ◯ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

916 - 09946 - 0562 - 145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Chico	Gregory	M

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Temple Station	55T1	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Comparan	Beatriz	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Temple Station	So. El Monte School Deputy	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	44	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]			

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		19	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]			

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	24	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]			

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Romero	S1	Rivera	E1	UC	NN	
Rivera	E1	Romero	S1	CT	NN	
Romero	S1	Rivera	E1	RS	NN	
Rivera	E1	Romero	S1	CT	NN	
Nunez	E2	Romero	S1	CT	NN	
Romero	S1	Rivera	E1	RS	NN	
Romero	S1	Nunez	E2	RS	NN	
Rivera	E1	Romero	S1	TT	FR	FA
Nunez	E2	Romero	S1	TT	FR	FA
Romero	S1	Rivera	E1	RS	NN	
Romero	S1	Nunez	E2	RS	NN	
Nunez	E2	Romero	S1	RH	NN	
Rivera	E1	Romero	S1	RH	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Use of Force**
IAB FILE NUMBER:	**FO2411256**
DIVISION / UNIT:	**East Patrol Division / Temple Station**
DATE / TIME:	**August 31, 2016, 1010 hours**
LOCATION:	**1450 Lidcombe Avenue, South El Monte (New Temple Park)**
SUSPECT:	**Regina Romero Marie, FH/32, DOB: 08/29/1981, #4766937**
INVOLVED PERSONNEL:	**Deputy Felipe Rivera, #[redacted]** **Deputy Joseph Nunez, #[redacted]**

SYNOPSIS:

On August 31, 2016, the Internal Affairs Bureau's (IAB) Force and Shooting Response Team, consisting of Lieutenant Justin Diez, Sergeant [redacted] and Sergeant Mark Lopez, responded to Temple Sheriff's Station regarding a use of force. The suspect, identified as Regina Romero, [redacted] and was detained by deputies in "New Temple Park." A struggle ensued, and Deputies Felipe Rivera, and Joseph Nunez, conducted a team takedown of Suspect Romero. Suspect Romero alleged during the takedown, she sustained a fractured jaw when her chin struck the cement sidewalk. Refer to the Los Angeles Sheriff's Department Incident Report #915-09946-0562-145, **[Exhibit A].**

CASE SUMMARY:

On August 31, 2016, at approximately 1010 hours, Deputy Rivera, assigned to Temple Sheriff's Station, was working as Unit 55F, a one man patrol unit in South El Monte. Deputy Rivera conducted a patrol check of "New Temple Park," and entered the park's north parking lot off of Lidcombe Avenue. As he drove eastbound in the parking lot, he observed a female adult walking southbound, away from a concession stand located at the north end of the park. The female walked south toward a baseball field, which is located in the center of the park. Deputy Rivera recognized the female to be Regina Romero, an individual with an extensive criminal history, who he had contact with in the past, and who was currently [redacted] Refer to Suspect Romero's booking packet, which includes her Consolidated Criminal History Record and the Additional Charge Record Sheet, **[Exhibit B].**

Deputy Nunez assigned as Temple Station Unit 55, was a one man patrol unit, patrolling within the immediate area. Using his mobile radio, Deputy Rivera advised Deputy Nunez Suspect Romero was in "New Temple Park," walking southbound from his location. As Deputy Rivera drove his marked patrol vehicle into the park toward Suspect Romero, Deputy Nunez drove his marked patrol vehicle southbound on Lidcombe Avenue toward Central Avenue, past Suspect Romero, in an effort to contain her within the park and prevent her from fleeing the area.

> **IAB NOTE:** In May of 2016, Suspect Romero fled on foot during a traffic stop conducted by Deputy Nunez. Refer to Los Angeles County Incident Report, #916-05123-0560-145. See **Miscellaneous Documents**.

Using his vehicle's public address (PA) system, Deputy Rivera yelled out to Suspect Romero instructing her to stop. When Suspect Romero stopped and turned toward Deputy Rivera, Deputy Rivera was able to confirm the female was Suspect Romero.

Deputy Rivera called Suspect Romero over to his patrol vehicle and detained her near his patrol vehicle's rear passenger door, and trunk area. The front of the patrol vehicle was facing south, and Deputy Rivera and Suspect Romero were standing on the west side of the patrol vehicle. Suspect Romero faced the patrol vehicle, as Deputy Rivera stood directly behind her.

As Deputy Nunez drove southbound on Lidcombe Avenue, he saw Deputy Rivera had made contact with Suspect Romero, and she appeared cooperative. Deputy Nunez drove his car back toward the north end of the park to assist Deputy Rivera with the detention of Suspect Romero.

Deputy Rivera instructed Suspect Romero to place her personal bags on the ground and to place her hands behind her back. Deputy Rivera intended to secure Suspect Romero in handcuffs. Suspect Romero placed her hands behind her back, and warned Deputy Rivera of a pre-existing injury to her right hand, which was swollen and sore.

As Deputy Rivera took control of Suspect Romero's hands, she immediately attempted to pull her hands away from Deputy Rivera's grasp. As Deputy Rivera maintained his grip, he tried to gain Suspect Romero's cooperation. He attempted to calm her down and explained he was only conducting a quick [redacted] search, and if everything checked out okay, she would be free to leave.

> **IAB NOTE:** During his IAB interview, Deputy Rivera explained he tried to handle Suspect Romero's wrists carefully. However, he was concerned Suspect Romero was strategically planning to avoid arrest.

Suspect Romero continued to resist and attempted to pull her arms away from Deputy Rivera. Deputy Rivera maintained his grip and instructed Suspect Romero to stop resisting. Suspect Romero did not comply and continued to struggle by pulling her hands away from Deputy Rivera and leaning her upper body forward toward the patrol vehicle, away from Deputy Rivera.

As Deputy Nunez drove into the north parking lot, he observed the struggle between Deputy Rivera and Suspect Romero. Deputy Nunez drove his vehicle into the park toward Deputy Rivera's location, and exited his patrol vehicle.

Using both his hands, Deputy Nunez took control of Suspect Romero's left arm, while Deputy Rivera took control of Suspect Romero's right arm. Both deputies attempted to push Suspect Romero's arms together behind her back in a joint effort to handcuff her, but were unsuccessful. Deputies Rivera and Nunez ordered Suspect Romero to stop resisting, but she refused and continued to pull her arms away and move her upper body back and forth. Using his portable radio, Deputy Nunez notified Sheriff's Communication Center(SCC) they had an uncooperative female at "New Temple Park" and requested "50 Sam" (Sergeant Thomas Harris, #[redacted] respond to their location.

Due to Suspect Romero's resistive behavior, and the deputies' inability to control her movement or handcuff her, both deputies coordinated a team takedown of Suspect Romero. Deputies Rivera and Nunez pulled Suspect Romero away from the patrol vehicle. Deputy Rivera used his right foot and swept Suspect Romero's right leg out from underneath her, and guided her upper body down to the ground. Suspect Romero landed straight down on the concrete sidewalk, landing on her chest.

Once on the ground, Suspect Romero continued to struggle with her hands behind her back. Deputy Rivera instructed Suspect Romero to stop resisting. Deputy Nunez updated SCC dispatch the suspect was now on the ground and resisted being handcuffed. Deputy Nunez was able to handcuff Suspect Romero's left wrist as Deputy Rivera brought Suspect Romero's right arm back toward her left arm. Deputy Nunez was able to handcuff Suspect Romero's right wrist without further incident.

While on the ground, Suspect Romero complained she could not breathe. Deputies Rivera and Nunez rolled Suspect Romero onto her left side to monitor her airway and breathing. Deputy Nunez advised SCC and responding units, the situation was "Code-4" and to have "50 Sam" shut down his "Code-3" response. He requested the Los Angeles County Fire Department to respond to the scene to treat Suspect Romero for her injuries.

IAB NOTE: SCC dispatch advised 50 Sam to cancel his Code-3 response, but to continue responding to "New Temple Park."

Deputy Gregory Chico, arrived on scene and was instructed by Deputy Rivera to canvas the park for any potential witnesses.

Deputy Beatriz Comparan, arrived on scene and conducted a search of Supsect Romero, which resulted in a seizure of methamphetamine and a glass smoking pipe. Refer to Criminal Complaint #916-09946-0562-145, **[Exhibit A].**

IAB NOTE: During the search, Suspect Romero complained of pain, and informed Deputy Comparan her jaw was fractured by her boyfriend. See Deputy Comparan's supplemental report. **[Exhibit A].**

After the search, Suspect Romero was seated on the bleachers, located just north of the baseball field. She was and treated by Los Angeles County Fire Department, Squad #90, under the direction of Captain Robles.

Sergeant Harris arrived on scene at 1019 hours and Deputies Rivera and Nunez verbally reported their use of force.

Suspect Romero was transported via American Medical Response Ambulance Unit #341 to the Greater El Monte Hospital, where she was treated for her injuries by Dr. David Lin. Suspect Romero was treated and released with an "OK to Book." Refer to Suspect Romero's Medical Release Records, and Dr. Lin's written diagnosis**, [Exhibit C].**

IAB NOTE: Deputy Walter Hensen, #[redacted] Unit 54, provided security of Suspect Romero during her transport to Greater El Monte Hospital.

INVOLVED PERSONNEL/WORK HISTORY:

Deputy Felipe Rivera

Deputy Sheriff, Employee #[redacted]
East Patrol Division/Temple Station - Patrol

Date of Employment:	March 13, 2006
Date assigned to TEM:	July 27, 2014
Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	[redacted]

Equipment Worn on Person

Sam Browne, Duty Weapon, .38 Revolver (Back-up Weapon), Magazines, Handcuffs, OC Spray, Hobble

Deputy Joseph Nunez

Deputy Sheriff, Employee #[redacted]
East Patrol Division/Temple Station - Patrol

Date of Employment:	March 07, 2007
Date assigned to TEM:	December 1, 2013
Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	[redacted]

Equipment Worn on Person

Sam Browne, Taser, Duty Weapon, OC Spray, Side Handle Baton, Magazines, Handcuffs

SUSPECT INFORMATION:

Regina Marie Romero Booking #4766937

Female, Hispanic, DOB: August 29, 1984, HT: 506, WT: 150 pounds
[redacted]
Home telephone: [redacted]

CII #[redacted] **MAIN #**[redacted] **FBI #**[redacted]

The Consolidated Criminal History Reporting System/Criminal Information Index (CCHRS/CII), revealed that Suspect Regina Romero had [redacted] At the time of her arrest, Suspect Romero had [redacted] which included a [redacted] Refer to Suspect Romero's booking records, Additional Charge Record, and CCHRS/CII records, **[Exhibit B].**

SUSPECT INJURIES:

Suspect Romero sustained visible abrasions to her right knee and one abrasion to her face, just below her nasal area. There were no other visible injuries to her face, mouth or body. Suspect Romero complained of pain to her jaw area. A Computerized Tomography Scan (CT scan) showed a mild displaced mandibular or fracture to the lower jaw area. Refer to Suspect Romero's Medical Records, **[Exhibit C].**

> **IAB NOTE:** Suspect Romero had a large bruise to her left arm, bicep area. However, Witness [redacted] observed the bruise prior to Suspect Romero's contact with deputies.

DEPUTY PERSONNEL INJURIES

There were no reported injuries by deputy personnel.

PHYSICAL EVIDENCE:

Photographs of Suspect Romero's injuries were obtained and included in the investigation. Refer to **[Exhibit D].**

Aerial photographs of "New Temple Park" were obtained, in addition to various photographs of the northern portion of "New Temple Park," which included the baseball field, concession stand, and bleacher area. Refer to **[Exhibit E].**

Suspect Romero was interviewed by the Temple Station Watch Commander, Internal Affairs Bureau, and Temple Station Detective Cabrera. Those interviews were video recorded or audio recorded. Refer to **[Exhibit F].**

VIDEO:

The area was checked for surveillance video. One camera, located on the north parking lot of New Temple Park, was located, but only covered video of the north parking lot. Two additional cameras, located at New Temple School, did not cover the baseball field or park area, and did not record the use of force. **[Exhibit G]**.

On September 1, 2016, IAB Sergeants [redacted] and Jeffrey Smith, # [redacted] canvassed the residential neighborhood and businesses for surveillance cameras. One camera was located at [redacted] just [redacted] of New Temple Park. The business owner, [redacted] stated the camera surveilled the front entry area of the business and side gate, and did not capture any areas of New Temple Park.

The emergency radio transmission provided a timeline of events, starting from the initial request for assistance, until the situation concluded and "50 Sam" arrived on scene. Refer to **[Exhibit G].** The following is an outline of those events:

Radio Transmission Timeline

10:12 Hours Unit 55 (Deputy Nunez) requests a Sam Unit to New Temple Park for an uncooperative female. Approximately 30 seconds later, 55 confirms his location and advises Sheriff's Communication Center, the female is on the ground and they have resisted handcuffing. 55 requests 50S and one additional unit

10:13 55T1 is Code 6

10:13 55 advised SCC to shut down 50S Code 3 response, but to continue his response. A request for Los Angeles Fire Department is made for Suspect Romero who had difficulty breathing.

10:14 SCC advises 55B3 to cancel their Code 3 response, and instructs 50S to continue his response. Units are asked to stand by for Fire request

10:15 Los Angeles County Fire Department called by Temple Station desk for a medical response at New Temple Park

10:19 Request for status update by SCC. 55F advises SCC the situation is code 4. 50S is still responding to the location

10:20 50 Sam Code 6 at New Temple Park

CRIMINAL INVESTIGATION CHARGES:

On September 2, 2016, Temple Station Detective, Christopher Woodhouse, presented a criminal case to the Los Angeles County District Attorney, Sonia Govea, assigned to the El Monte Courthouse. Criminal Charges were filed under case #EM03986019, against Suspect Romero, which consisted of, Resisting a Peace Officer, 148(A)(1) P.C., Possession of Methamphetamine, 11377(a) H&S, Possession of an Opium Pipe, 11364 H&S, and Possession of Burglary Tools, 466 P.C.

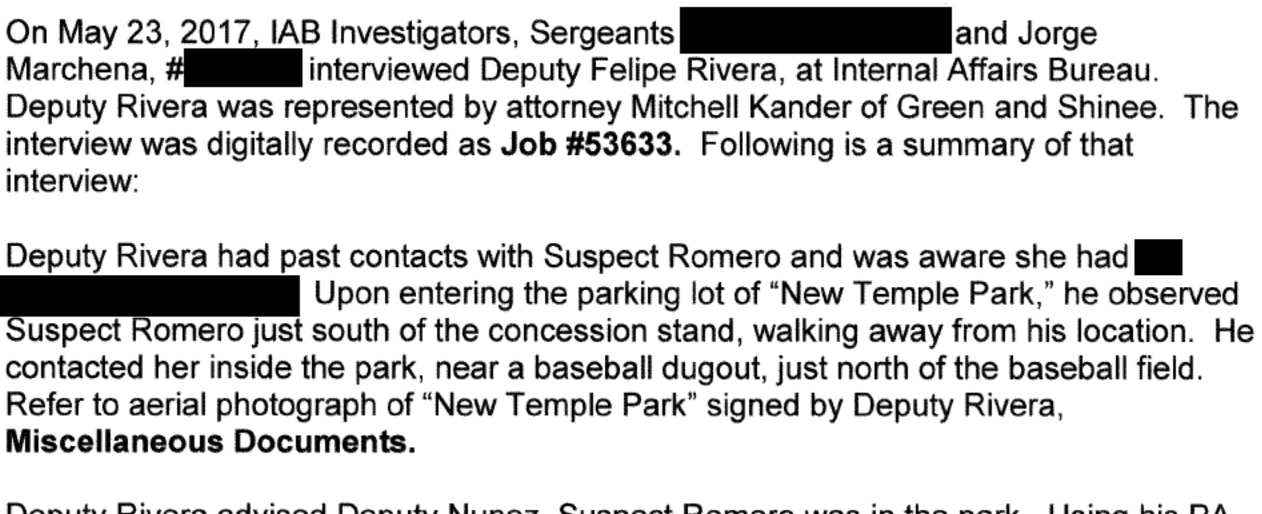
On October 21, 2016, Suspect Romero was convicted of Possession of Methamphetamine, a misdemeanor. She was sentenced to (104) days in the Los Angeles County Jail, and (3) year's summary probation.

> **IAB NOTE:** Charges of Resisting a Peace Officer, Possession of an Opium Pipe, and Burglary Tools, were dismissed due to a plea negotiation.

INVOLVED EMPLOYEE STATEMENTS:

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

<u>Deputy Felipe Rivera</u>



On May 23, 2017, IAB Investigators, Sergeants [redacted] and Jorge Marchena, #[redacted] interviewed Deputy Felipe Rivera, at Internal Affairs Bureau. Deputy Rivera was represented by attorney Mitchell Kander of Green and Shinee. The interview was digitally recorded as **Job #53633.** Following is a summary of that interview:

Deputy Rivera had past contacts with Suspect Romero and was aware she had [redacted] Upon entering the parking lot of "New Temple Park," he observed Suspect Romero just south of the concession stand, walking away from his location. He contacted her inside the park, near a baseball dugout, just north of the baseball field. Refer to aerial photograph of "New Temple Park" signed by Deputy Rivera, **Miscellaneous Documents.**

Deputy Rivera advised Deputy Nunez, Suspect Romero was in the park. Using his PA, he yelled out to Suspect Romero and confirmed it was in fact Suspect Romero. He instructed her to place her personal property down on the ground and place her hands behind her back. Suspect Romero was standing near the rear passenger door of his patrol vehicle. Suspect Romero informed Deputy Rivera she had injured her hand and to be careful.

Deputy Rivera calmly spoke to Suspect Romero to keep her calm. When he attempted to handcuff Suspect Romero, she began to pull her arms away. It was an overt effort to avoid being handcuffed. Suspect Romero was a larger female and Deputy Rivera had a difficult time controlling her. Deputy Rivera instructed Suspect Romero not to resist, but she would not comply with his commands.

Deputy Nunez arrived and assisted with controlling Suspect Romero's left side. Both deputies tried talking with Suspect Romero, but she continued to pull her arms away, and prevented both deputies from handcuffing her. Deputy Rivera was not armed with a taser and he opted not to use his Oleoresin Caspicum spray due to their close proximity with Suspect Romero.

Both Deputy Rivera and Deputy Nunez agreed to a team takedown, which would limit Suspect Romero's ability to move around and provide them more stability to control her.

Deputy Rivera used his right leg and swept Suspect Romero's right foot from underneath her. This caused Suspect Romero to fall to the ground. Suspect Romero landed chest first on the concrete sidewalk.

While on the ground, Suspect Romero continued to pull her arms away from Deputy Rivera and Deputy Nunez, and tried to get up off the ground. Deputy Nunez was able to handcuff Suspect Romero's left wrist, as Deputy Rivera brought Suspect Romero's right arm behind her back. Deputy Nunez was able to secure the handcuffs onto Suspect Romero's right wrist.

Suspect Romero stated she could not breathe and that her jaw was fractured. Supsect Romero was positioned on her side and her breathing was monitored. The Los Angeles County Fire Department responded to the scene and treated Suspect Romero for her injuries.

Deputy Joseph Nunez

On May 23, 2017, IAB Investigators, Sergeants [redacted] and Jorge Marchena, interviewed Deputy Joseph Nunez, at Internal Affairs Bureau. Deputy Nunez was represented by attorney Mitchell Kander of Green and Shinee. The interview was digitally recorded as **Job #53632.** Following is a summary of that interview:

Deputy Nunez knew Suspect Romero from a prior contact, at which time she fled from him. Refer to Criminal Complaint, file #915-05123-0560-145. See **Miscellaneous Documents.**

Deputy Nunez was working in the immediate area of New Temple Park when Deputy Rivera advised him he spotted Suspect Romero inside New Temple Park. As Deputy Rivera approached Suspect Romero from the north, Deputy Nunez drove his vehicle south on Lidcombe Avenue, past Suspect Romero.

> **IAB NOTE:** Due to Suspect Romero fleeing on foot in the past, Deputy Nunez decided to approach from the south to prevent an escape avenue.

As Deputy Nunez drove southbound, he observed Deputy Rivera contact Suspect Romero, and she appeared cooperative. Deputy Nunez drove northbound and entered the north parking lot from Lidcombe Avenue. As he entered the parking lot, it appeared Deputy Rivera was struggling with Suspect Romero near the rear of the patrol vehicle. Deputy Rivera was standing behind Suspect Romero, and held her in a bear hug.

Deputy Nunez drove his vehicle into the park and exited his patrol vehicle. Using both hands, he grabbed Suspect Romero's left arm, while Deputy Rivera moved to the right and controlled the right side of Suspect Romero. Deputy Nunez could feel Suspect Romero's upper body moving back and forth, and it appeared she was attempting to break free of their grasp.

Deputy Nunez ordered Suspect Romero to stop resisting, as did Deputy Rivera. Deputy Nunez used his portable radio and requested "50 Sam" to respond to their location regarding an uncooperative female.

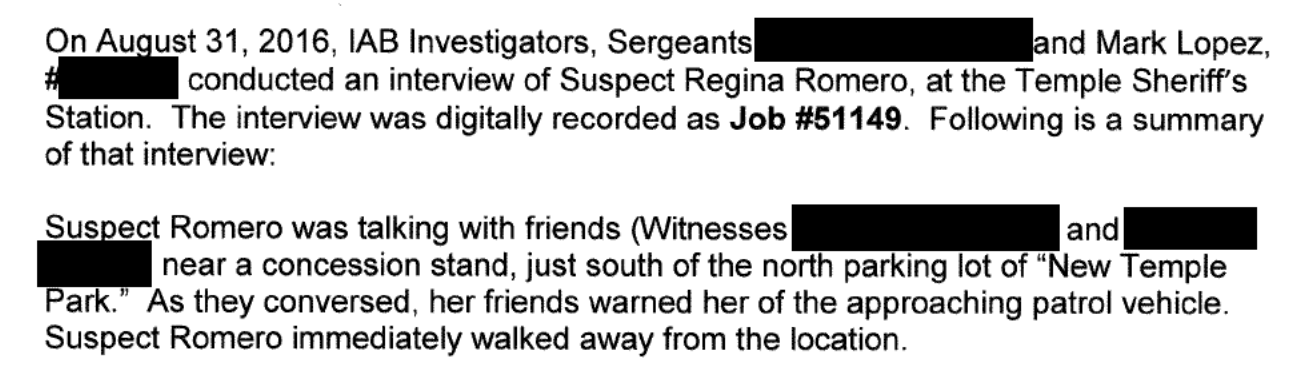
Deputy Rivera and Nunez continued to struggle with Suspect Romero, and both deputies coordinated a team takedown of Suspect Romero to limit her body movement. Deputy Nunez held onto Suspect Romero's left arm, as Deputy Rivera swept Suspect Romero's right leg from underneath her, causing her to fall to the ground. Once on the ground, Deputy Nunez used his mobile radio to repeat their location, and updated SCC that they had a female suspect on the ground, who was resisting handcuffing.

Suspect Romero continued to resist pulling her arms. Deputy Nunez was able to handcuff Suspect Romero's left hand, as Deputy Rivera pulled her right arm behind her back. Deputy Nunez was able to secure Suspect Romero's right arm in handcuffs.

Suspect Romero complained she could not breathe, and she was placed onto her left side. Deputy Nunez observed Suspect Romero was bleeding from her nose area. Deputy Nunez requested the Los Angeles County Fire Department respond to their location to treat Suspect Romero for her injuries.

SUSPECT STATEMTENT:

<u>Suspect Regina Romero</u>



On August 31, 2016, IAB Investigators, Sergeants [redacted] and Mark Lopez, #[redacted] conducted an interview of Suspect Regina Romero, at the Temple Sheriff's Station. The interview was digitally recorded as **Job #51149**. Following is a summary of that interview:

Suspect Romero was talking with friends (Witnesses [redacted] and [redacted] near a concession stand, just south of the north parking lot of "New Temple Park." As they conversed, her friends warned her of the approaching patrol vehicle. Suspect Romero immediately walked away from the location.

As she began to walk south toward the baseball field, she heard the sound of a vehicle engine approaching her from behind and heard the deputy (Deputy Rivera) yell out to get her attention. As she turned around, Deputy Rivera asked her name and if she was on probation. Suspect Romero lied to the deputy and told him she was not on probation.

Deputy Rivera recognized Suspect Romero and called her by her first name. He told her to walk over to his car, and to place her hands behind her back. As she placed her hands behind her back, she told Deputy Rivera, she had an injured hand, and to be careful with it because it was sore.

Deputy Rivera grabbed her hand firmly, which caused her pain. Suspect Romero told Deputy Rivera he was hurting her hand, but he would not release his grip. Suspect Romero tried to pull her hands away.

> **IAB NOTE:** Suspect Romero stated Deputy Rivera's grip was not extreme and would not have hurt her had she not been injured. See Suspect Romero's IAB interview, **[Transcripts, Page 4].**

Deputy Rivera told Suspect Romero to stop resisting. Suspect Romero told Deputy Rivera she was not resisting, but he was hurting her hand. Suspect Romero stated she continued to pull her hands away.

A second deputy (Deputy Nunez) arrived on scene and grabbed her on her left side, as Deputy Rivera maintained control of Suspect Romero's right side. Both deputies agreed to take Suspect Romero down to the ground, and counted to three. Suspect Romero was turned to her left, and her legs were swept out from underneath her. Supsect Romero fell to the ground, landing on the cement, chest first and striking her face on the cement.

> **IAB NOTE:** Suspect Romero said she believed the deputies tried to break her fall, and maintained their grip of her hands during the takedown. See Suspect Romero's IAB interview, **[Transcripts, Page 10].**

Suspect Romero stated once on the ground, the deputies handcuffed her. She told both deputies she could not breathe, and they instructed her to lay on her side. Suspect Romero was treated by paramedics and transported to the hospital via ambulance.

Suspect Romero stated she had pain to her jaw, which she believed was caused from hitting her nose and chin on the cement ground. Suspect Romero stated she sustained a bloody nose, fractured jaw, and a bruised left arm during the incident. Suspect Romero denied being assaulted by her boyfriend just days prior to her contact with deputies, and the only pre- existing injury she had was the injured left hand. Photographs of Supsect Romero's injuries were taken. **[Exhibit D].**

IAB NOTE: On October 26, 2016, IAB Sergeant [redacted] requested Suspect Romero's Los Angeles County Jail Medical records, under booking #4766937, for notations or statements made by Suspect Romero regarding her fractured jaw. Refer to **[Exhibit H, Page 2 of Data Base Entry].** Per the medical records, Suspect Romero states her fractured jaw was caused during an altercation with deputies on August 31, 2016.

IAB NOTE: On September 1, 2017, a Domestic Violence criminal complaint report was written on behalf of Suspect Romero, who alleged her [redacted] asssaulted her. Suspect Romero provided a written statement. Refer to **[Exhibit I].** Suspect Romero also provided an audio and video recorded interview. Refer to **[Exhibit F].**

Suspect Romero stated she had no history of mental illness, does not take medication, and did not consume any alcohol prior to the incident. Suspect Romero admitted she has a drug addiction to methamphetamine and last ingested methamphetamine at 2100 hours the night prior.

EMPLOYEE WITNESSES:

Deputy Beatriz Comparan

On May 23, 2017, IAB Investigators, Sergeants [redacted] and Jorge Marchena, interviewed Deputy Beatriz Comparan, at Internal Affairs Bureau. Deputy Comparan was represented by attorney Mitchell Kander of Green and Shinee. The interview was digitally recorded as **Job #53631**. Following is a summary of that interview:

Deputy Comparan responded "Code-3" to an assistance request at "New Temple Park." She arrived on scene within two minutes. Deputy Comparan observed Suspect Romero on the ground handcuffed, and Deputies Rivera and Nunez standing over her. Suspect Romero was phyiscally compliant, but moaning and complained she was unable to breathe.

IAB NOTE: Deputy Comparan clarified Suspect Romero was not physically uncooperative while on the ground. Refer to **[Deputy Comparan's Transcripts, Page 8].**

Deputies Rivera and Nunez assisted Suspect Romero up to her feet, and Deputy Comparan conducted a search of Suspect Romero. During the search, an opium smoking pipe and methamphetamine were recovered from Suspect Romero's person.

Deputy Comparan stated during the search, Suspect Romero told her her jaw was fractured during an altercation with her "baby's daddy" and that he had punched her in the face.

Deputy Comparan authored a supplemental report regarding the search of Suspect Romero, and her statements. On September 1, 2016, Deputy Comparan authored a domestic violence report on behalf of Suspect Romero, naming her as a victim. Refer to Criminal Complaint Report, #916-10005-0562-145, **[Exhibit I].**

> **IAB NOTE**: Suspect Romero provided a written statement explaining her chin was struck by a garage door, **[Exhibit I].**

<u>Deputy Gregory Chico</u>

On May 23, 2017, IAB Investigators, Sergeants [redacted] and Jorge Marchena, interviewed Deputy Gregory Chico, at Internal Affairs Bureau. Deputy Chico was represented by attorney Mitchell Kander of Green and Shinee. The interview was digitally recorded as **Job #53630.** Following is a summary of that interview:

Deputy Chico responded to an assistance request. Upon his arrival, he observed Deputies Rivera and Nunez, on scene standing near the bleachers of a baseball field in "New Temple Park." He observed the suspect, Regina Romero, handcuffed, lying on the ground.

> **IAB NOTE:** Deputy Chico identifed the location of the incident via an aerial photograph. Refer to "New Temple Park" photograph, signed by Deputy Chico, **Miscellaneous Documents**

Deputy Chico observed the suspect was handcuffed and the force used had been completed. He was immediately instructed by Deputy Rivera to contact potential witnesses of the force, directing him to individuals standing at the north end of the park.

Deputy Chico contacted four individuals, who each informed him they did not witness the force incident. Deputy Chico listed the names of those individuals on a supplemental report. Refer to Deputy Chico's supplemental report, **[Exhibit A]**.

> **IAB NOTE:** Individuals listed on Deputy Chico's supplemental report were located by IAB investigators, and reinterviewed. For futher details regarding those interviews, refer to the videotaped witness interviews, **[Exhibit F and Witness Transcripts]** .

NON-EMPLOYEE WITNESSES:

[redacted]

On August 31, 2016, IAB Investigators, Sergeants [redacted] and Mark Lopez, interviewed Witness [redacted] at "New Temple Park." The interview was digitally recorded as **Job #51144**. Following is a summary of that interview:

Witness [redacted] was standing at the concession stand on the north end of "New Temple Park." She had just spoken with Suspect Romero, who had left her location, and was walking southbound in the park, toward Cogswell Road.

As Suspect Romero approached the north side of the baseball field, she was stopped by a deputy who yelled out, "Regina!" The deputy ordered Suspect Romero to his vehicle were he detained her at the passenger side, rear trunk area of his patrol vehicle.

> **IAB NOTE:** Witness [redacted] stood approximately 200 feet away from where Deputy Rivera detained Suspect Romero.

Witness [redacted] heard the deputy instruct Suspect Romero to empty her pockets, and she complied. As she emptied her pockets, Witness [redacted] could see Suspect Romero hand items to the deputy, who then placed those items on Suspect Romero's personal bag, located on the ground next to them.

As the deputy grabbed Suspect Romero's hands to handcuff her, Suspect Romero turned her body away. Witness [redacted] could hear Suspect Romero tell the deputy she still had items in her pocket. The deputy warned Suspect Romero not to resist, but Suspect Romero continued to tell the deputy she had items in her pocket, as she continued to turn her upper body away, along with her hand. Suspect Romero was yelling very loudly.

A second deputy responded to the location, and within seconds, both deputies took Suspect Romero to the ground. Suspect Romero landed on her stomach, on partial grass and dirt.

Witness [redacted] said once Suspect Romero was on the ground, her view was blocked by the patrol cars. She could not see if Suspect Romero resisted on the ground, or if there was a struggle once Suspect Romero was on the ground. She could hear Suspect Romero telling the deputies she could not breath.
Suspect Romero was seated on the bleachers just north of the baseball field. Paramedics responded to the location, treated Suspect Romero, who was later placed onto a gurney and transported away.

When asked if she observed any pre-existing injuries on Suspect Romero prior to her contact with deputies, Witness [redacted] noted one large bruise to one of Suspect Romero's biceps. Suspect Romero told Witness [redacted] she sustained the bruise during a fight with her boyfriend.

> **IAB NOTE:** During interviews conducted by Lieutenant Daily, and IAB Sergeants, Suspect Romero alledged the bruise to her bicep occurred during the altercation with deputies.

[redacted]

On August 31, 2016, IAB Investigators, Sergeants [redacted] and Mark Lopez, #[redacted] interviewed Witness [redacted] at "New Temple Park." The interview was digitally recorded as **Job #51145**. Following is a summary of that interview:

Witness [redacted] was walking from the restrooms, back to the park's concession stand when he observed Suspect Romero walking southbound, away from the concession stand, approaching the baseball field. He observed a patrol vehicle enter the park via the handicap access driveway and drive southbound through the park, toward Suspect Romero. The deputy called out, "Regina" as he approached Suspect Romero who had reached the baseball field dugout. Suspect Romero walked toward the deputy and stood at the back end of the patrol vehicle. The deputy ordered Suspect Romero to empty out her pockets.

> **IAB NOTE:** Witness [redacted] could not hear the entire conversation between Suspect Romero and the deputy, but made conclusions based on the physical interaction he observed from approximately 200 feet away.

Witness [redacted] stated it appeared Suspect Romero was cooperating with the deputy, but he could not hear the complete conversation. Witness [redacted] only heard Suspect Romero yell, "I'm not resisting!" Witness [redacted] did not observe a struggle between the deputy and Supsect Romero.

Witness [redacted] observed a second deputy arrive on scene. It appeared as though the deputies were talking with Suspect Romero, but then threw her down to the ground. Witness [redacted] could hear Suspect Romero hit the cement sidewalk, but did not see how Suspect Romero landed.

Once on the ground, Witness [redacted] heard Suspect Romero yell she could not breathe and he believed deputies were struggling to handcuff Suspect Romero while she was on the ground.

[redacted]

On August 31, 2016, IAB Investigators, Sergeants [redacted] and Mark Lopez, interviewed Witness [redacted] at "New Temple Park." The interview was digitally recorded as **Job #51146**. Following is a summary of that interview:

Witness [redacted] is a friend of Suspect Romero. Witness [redacted] did not witness the initial use of force involving Suspect Romero. When Witness [redacted] arrived on scene, he observed Suspect Romero on the ground, and deputies holding onto her and handcuffing her while she was on the ground.

Witness [redacted] observed paramedics on scene treating Suspect Romero. Witness [redacted] did not observe any injuries to Suspect Romero before her contact with deputies , but noted she had blood on her face after the incident.

Dr. David Lin

On June 12, 2017, IAB Investigators, Sergeants [redacted] and James Jordan, #[redacted] conducted an interview of Dr. David Lin, at the Greater El Monte Hospital. The interview was not recorded. The following is a summary of the interview:

> **IAB NOTE**: Prior to the IAB Interview, Dr. Lin was provided a medical release form signed by Suspect Regina Romero. See **Miscellaneous Documents.**

On August 31, 2016, Dr. Lin was working as the Emergency Room Doctor at Greater El Monte Hospital, and treated Suspect Romero for a fractured jaw. Dr. Lin spoke with Suspect Romero who complained of pain to her jaw. Dr. Lin examined the facial area of Suspect Romero, which included the inside of her mouth. Dr. Lin saw no visible injuries to Suspect Romero. However, because Suspect Romero complained of pain to her jaw, and alleged deputies caused the injury during an altercation with her, he ordered a CT scan of the jaw area. Dr. Lin confirmed there was a mildly displaced fracture of the lower jaw, but the fracture did not reach through to the teeth of the lower jaw.

Dr. Lin was asked if an older jaw fracture, approxmately one month old, would appear in a CT scan. Dr. Lin stated, yes and he would be unable to determine the exact date or time a fracture occurred. Dr. Lin's statements and notes were based on information provided to him by Suspect Romero.